

10519 U.S. PTO  
101403

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FORM PTO-1082 (modified)

22581 U.S. PTO  
10/684602  
101403

Case Docket No.: XCI-228.2

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Sir:

Date: October 14, 2003

Transmitted herewith for filing is the patent application of

Inventor(s): Paul A. Nysen

For: FREQUENCY HOPPING SPREAD SPECTRUM PASSIVE ACOUSTIC  
WAVE IDENTIFICATION DEVICE

Enclosed are:

- [x] Specification - 30 pages
- [x] Claims - 9 pages
- [x] Abstract - 1 page
- [x] 12 Sheets of drawing. (FIGS. 1-20)
- [x] Letter to Official Draftsman
- [x] 7 Sheets of Formal drawings (FIGS. 1-8)
- [x] A declaration and power of attorney.
- [x] Non-Publication Request
- [x] Preliminary Amendment - 18 pages

Page Two

[x] Priority is hereby claimed on the basis of the following:

| Country     | Serial No.                                       | Date           |
|-------------|--|----------------|
| <u>U.S.</u> | <u>08/914,282, now U.S. Patent No. 6,114,971</u> | <u>8/18/97</u> |
| <u>U.S.</u> | <u>09/248,022, now U.S. Patent No. 6,633,226</u> | <u>2/10/99</u> |

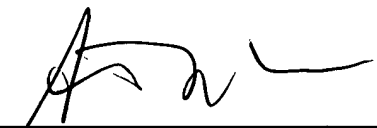
The filing fee has been calculated as shown below:

|  | (Col. 1)  | (Col. 2)  | SMALL ENTITY    | OTHER THAN A<br>SMALL ENTITY |
|--|-----------|-----------|-----------------|------------------------------|
| FOR:                                   | NO. FILED | NO. EXTRA | RATE FEE        | OR RATE FEE                  |
| BASIC FEE                              |           |           | \$ 385.00       | OR \$ 770.00                 |
| TOTAL CLAIMS                           | - 20=     |           | x 9= \$         | OR x 18= \$                  |
| INDEP CLAIMS                           | - 3=      |           | x 43= \$        | OR x 86= \$                  |
| [ ] MULTIPLE DEPENDENT CLAIM PRESENTED |           |           | +145=\$         | OR +290= \$                  |
|  |           |           | TOTAL \$ 385.00 | OR \$                        |

[x] A check in the amount of \$ 385.00 to cover the filing fee is enclosed.

[x] Please charge any insufficiency of fee, or credit any excess, to Deposit Account No. 50-0427.

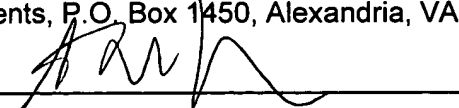
MILDE & HOFFBERG, LLP

By   
Steven M. Hoffberg  
Reg. No. 33,511

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Date of Deposit 10/14/2003

I hereby certify that this paper or fee is  
being deposited with the United States Postal  
Service "Express Mail Post Office to Addressee"  
service under 37 CFR 1.10 on the date indicated  
above and is addressed to the Commissioner of  
Patents, P.O. Box 1450, Alexandria, VA 22313.

By: 

XCI-228.2  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Paul A. Nysen  
Serial No. : Continuation of 09/248,022  
Filed : Herewith  
For : FREQUENCY HOPPING SPREAD SPECTRUM PASSIVE  
ACOUSTIC WAVE IDENTIFICATION DEVICE

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October 14, 2003

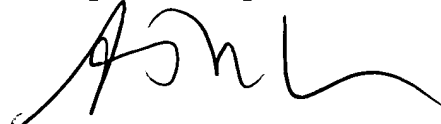
Hon. Commissioner of Patents  
& Trademarks  
Washington, DC 20231

Sir:

LETTER TO THE OFFICIAL DRAFTSMAN

Enclosed herewith are 7 sheets of revised drawings for the  
above referenced patent application. Approval of the formal  
aspects thereof is respectfully solicited.

Respectfully submitted,



Steven M. Hoffberg  
Reg. No. 33,511

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

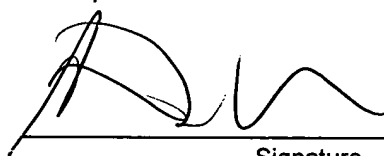
|                        |   |
|------------------------|---|
| First Named Inventor   | Paul A. Nysen   |
| Title                  | FREQUENCY HOPPING SPREAD SPECTRUM<br>PASSIVE ACOUSTIC WAVE IDENTIFICATION<br>DEVICE |
| Attorney Docket Number | XCI-228.2   |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

October 14, 2003

Date



Signature

(914) 949-3100

Telephone number

Steven M. Hoffberg

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.